

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

POR-15, INC.,

Plaintiffs,

v.

JAMES KROLAK, et al.,

Defendants.

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Civil Action No. 10-1629 (KSH)

**ORDER ON INFORMAL
APPLICATION**

This matter having come before the Court by way of submission dated February 28, 2011, regarding the defendants' request to allow the parties to submit expert reports after the motion to dismiss the counterclaims has been resolved;

and the parties being aware that the pending motion does not operate to delay the discovery in this case;

and the Court having required all discovery to proceed even while the motion is pending to ensure the parties are prepared to promptly proceed through the pretrial and trial process;

and the Court therefore declining to extend the discovery deadlines in the way proposed;

and the Court granting an extension of the expert deadlines to enable the parties to complete fact discovery before the expert reports are disclosed, but requiring that the experts be provided information on a rolling basis;

and the Court adjusting the expert discovery deadlines in a manner that provides an extension but does not impact the deadlines associated with the June 14, 2011 final pretrial conference;

IT IS THEREFORE ON THIS 28th day of February, 2011

ORDERED that the request to extend the expert discovery deadlines is granted in part;

IT IS FURTHER ORDERED that:

1. All affirmative expert reports shall be delivered by **April 19, 2011**;
2. All responding expert reports shall be delivered by **May 19, 2011**;
3. All expert reports are to be in the form and content as required by Fed. R. Civ. P. 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the experts report;¹ and
4. All expert depositions shall be completed by **June 7, 2011**.

IT IS FURTHER ORDERED that all other deadlines shall remain in full force and effect.

s/Patty Shwartz
UNITED STATES MAGISTRATE JUDGE

¹The parties shall provide their experts information on a rolling basis so that they are able to produce their reports by the deadlines set forth herein.